



State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW
25 MARKET STREET
P.O. Box 116
TRENTON, NJ 08625-0116

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

MATTHEW J. PLATKIN
Attorney General

MICHAEL T.G. LONG
Director

December 14, 2023

VIA CM/ECF

The Honorable Leda D. Wettre, U.S.M.J.
United States District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07102

Re: Shaporov, Alexander v. SONJ, et al.
Civil Action No. 22-01150 (EP/LDW)

Dear Judge Wettre:

The undersigned represents Defendants State of New Jersey, Palisades Interstate Parkway Commission, Palisades Interstate Parkway Police Department ("PIPPD"), and PIPPD P.O. Matthew Levine Badge No. 366, PIPPD Sgt. Gregory D. Kimbro, Jr. Badge No. 368; PIPPD P.O. Timothy Conboy Badge No. 393; PIPPD P.O. Peter Wojcik Badge No. 406; and PIPPD P.O. Scott Bilotti, Badge No. 413 (collectively, "State Defendants") in the above-captioned matter. State Defendants and Plaintiff write jointly to request an extension of fact discovery and advise the Court of a stipulation entered into by the parties.

It is respectfully requested, for the reasons set forth in more detail below, that good cause exists to extend fact discovery an additional sixty (60) days from November 30, 2023 to January 30, 2024. Additional fact discovery will allow for the deposition of Officer Bilotti, for Plaintiff to provide further proofs related to economic damages, and supplemental requests for documents from Matthew W.



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Reisig, Esq., the Bergen County Prosecutor's Office, the Bergen County Superior Court, and the Municipal Court of the Palisades Interstate Park.

I. Good Cause Exists To Extend Fact Discovery.

Party depositions of Officer Levine, Sgt. Kimbro, Officer Conboy, Officer Wojcik, and Alexander Shaporov were conducted over the last month and a half. A deposition of Officer Bilotti was cancelled due to a family emergency and the deposition of Officer Bilotti is now confirmed for December 18, 2023 at 2PM.

Aside from a remaining deposition, State Defendants and Plaintiff are working together to rectify additional document production pursuant to State Defendants Document Request Nos. 18-19 and Interrogatory No. 12. State Defendants are seeking a computation of loss income, profit or earnings as a result of the traffic stop and arrest on March 3, 2020. In addition, State Defendants have requested copies of Plaintiff's state and federal tax returns for 2019, 2020, and 2021. State Defendants and Plaintiff are working toward a resolution regarding the aforementioned document and interrogatory requests.

State Defendants and Plaintiff are also working together to rectify additional document production pursuant to State Defendants' Document Request Nos. 11 – 12 and 14. In short, these requests seek all documents relating to the charging and disposition of the traffic tickets and criminal complaint (Ticket No. 003339--N.J. Stats. Ann. 39:4-82 "Failure to Keep Right;" Ticket No. 003340--N.J. Stats. Ann. 39:3-75 "Safety Glass Requirement;" and Complaint 0288-S-2020-000056--N.J. Stats. Ann. 2C:28-8B "Impersonating a Law Enforcement Officer) issued to Plaintiff on March 3, 2020. It is apparent that these documents may be either sealed or expunged, resulting in a delay of their retrieval. As such, a consent order pursuant to N.J.S.A. 2C:52-19 has been drafted by the State Defendants and forwarded to Plaintiff for execution. Upon execution, the consent order will be submitted to the Court for review and approval. Upon approval, State Defendants will subpoena the necessary documents from Matthew W. Reisig, Esq., the Bergen County Prosecutor's Office, the Bergen County Superior Court, and the Municipal Court of the Palisades Interstate Park.

Based upon the foregoing, the parties write jointly and respectfully request that fact discovery be extended an additional sixty (60) days from November 30, 2023 to January 30, 2024.

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II. Plaintiff's Deposition Testimony.

In a previous letter, State Defendants raised an issue concerning Plaintiff's deposition testimony on November 7, 2023. State Defendants and Plaintiff have diligently worked together to rectify the issue in the previous days and no longer require the Court's assistance with this matter. The parties have entered into a stipulation, which states:

It is hereby stipulated and agreed that the use of Plaintiff's deposition testimony from November 7, 2023 shall be barred and limited to the terms set forth in this stipulation:

1. The use of Plaintiff's deposition testimony from 124:21-25 to 126:1-7 is completely barred in all future proceedings; and it is further stipulated that
2. Plaintiff is not permitted to testify at the time or trial, or in any future proceeding about being unbuckled in the squad car, hitting his head on a window, any injury to his head as a result of the transport, asking Officer Levine to slow down or that Officer Levine was speeding, Plaintiff wiggling around, the proper procedure for transporting a detained individual or the manner in which he was detained during the transport.

State Defendants have executed the stipulation and await an executed return copy from Plaintiff.

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The parties thank Your Honor for your time and attention to this matter. We will await a Text Order on how the Court wishes to proceed.

Respectfully submitted,

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY

By: /s/ Thomas Sindel
Thomas Sindel
Deputy Attorney General
NJ Attorney ID: 340392021

cc: All counsel of record